

SUPERIOR COURT OF NEW JERSEY
COUNTY OF HUDSON
LAW DIVISION - CRIMINAL
ACCUSATION NO. 573-12
DOCKET NO. 12-2949

STATE OF NEW JERSEY

)

CRIMINAL ACTION

v.

)

ACCUSATION

JAMES WILEY

)

JAMES WILEY, having been charged with one count of Conspiracy (second degree), in violation of N.J.S.A. 2C:5-2, and having in writing waived indictment and trial by jury, and having requested to be tried upon Accusation before this Court, and said request having been granted;

Attorney General Jeffrey S. Chiesa, for the State of New Jersey, by and through Deputy Attorneys General Cynthia M. Vazquez and David M. Fritch, of the New Jersey Division of Criminal Justice, alleges that:

COUNT ONE

(Conspiracy - Second Degree)

JAMES WILEY

and other persons whose identities are both known and unknown, who are co-conspirators but who are not named as defendants herein, between on or about November 1, 2008 and on or about February 29, 2012, at the Township of North Bergen, in the County of Hudson, elsewhere, and within the jurisdiction of this Court did, with the purpose of promoting or facilitating the crime of Official Misconduct, agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crime, or

B. One or more of them knowingly would aid in the planning, solicitation or commission of said crime, that is:

In that the said JAMES WILEY, a public servant, acting with the purpose to obtain a benefit for himself or another, or to injure or deprive another of a benefit, in excess of \$200, did commit one or more acts relating to his office, but constituting unauthorized exercises of his official functions, knowing that such acts were unauthorized or that he was committing them in an unauthorized manner, and the said JAMES WILEY then and there being a public servant, to wit: Superintendent of the Department of Public Works for the Township of North Bergen, New Jersey, having thereby the official functions and duties, among others, to manage the resources of the North Bergen Department of Public Works, including labor and salaries, for the benefit of the citizens of North Bergen, to perform his duties in a legal and proper manner, to display good faith, honesty and integrity, and to be impervious to corrupting influences, did knowingly misuse labor paid for by the Township of North Bergen for the personal benefit of himself or another, with the purpose to secure a benefit for himself or another in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2.

In pursuance of the said conspiracy, JAMES WILEY committed the following OVERT ACTS, among others:

1. Signed and submitted paperwork required for the Township of North Bergen to pay fifteen employees of the North Bergen Department of Public Works for providing sixty hours of overtime labor on November 4, 2008, despite knowing that these individuals had not performed work for the North Bergen Department of Public Works that day, but rather were sent

to Bayonne, New Jersey, where they were utilized to support an election campaign by providing campaign labor during the time that they were to be paid by the North Bergen Department of Public Works, thereby causing the Township of North Bergen to expend funds in payment for labor that it did not receive;

2. Signed and submitted paperwork required for the Township of North Bergen to pay twenty six employees of the North Bergen Department of Public Works for twenty six hours of overtime labor on May 12, 2009, despite knowing that these individuals had not performed overtime work for the North Bergen Department of Public Works that day, when, in fact, JAMES WILEY knew that this time was being submitted as fraudulent compensation for these employees to go to Jersey City, New Jersey on May 12, 2009, where they were utilized to support an election campaign by providing campaign labor, thereby causing the Township of North Bergen to expend funds in payment for labor that it did not receive;

3. Signed and submitted paperwork required for the Township of North Bergen to pay numerous employees of the North Bergen Department of Public Works for providing overtime labor on November 2, 2010, despite knowing that these individuals had not performed work for the North Bergen Department of Public Works that day, but rather were sent to Jersey City, New Jersey, where they were utilized to support an election campaign by providing campaign labor during the time that they were to be paid by the North Bergen Department of Public Works, thereby causing the Township of North Bergen to expend funds in payment for labor that it did not receive;

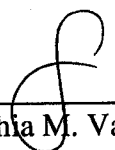
4. Between on or about ^{November 2010} ~~January~~ of 2008 and January 21, 2012, signed and submitted paperwork required for the Township of North Bergen to pay employees of the North Bergen Department of Public Works for providing two hundred and seventy four hours of labor,

including one hundred and fourteen hours paid as overtime labor, despite knowing that these individuals had not performed work for the North Bergen Department of Public Works during these hours, but rather were sent to JAMES WILEY'S residence, where they were utilized to provide personal household labor during the time that they were to be paid by the North Bergen Department of Public Works, thereby causing the Township of North Bergen to expend funds in payment for labor that it did not receive;

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

JEFFREY S. CHIESA
Attorney General of New Jersey

By:



Cynthia M. Vazquez
Deputy Attorney General

David M. Fritch
Deputy Attorney General

Dated: September 11, 2012